

February 24, 2009

Jack Beuschel, President
Studor Inc.
11256 47th Street North
Clearwater, FL 33762

Re: IAPMO Board of Directors Petition Decision to Standards Council Decision
Dockets #1153-09; 1166-09
Uniform Plumbing Code – Sections 203.0, 906.1, 911.0, Chapter 14,
Table 14-1, and Appendix L
Items #3, #134, #139, #195, #239

Dear Mr. Beuschel:

I am transmitting to you herewith the following decision of the IAPMO Board of Directors.

A duly appointed Subcommittee of the IAPMO Board of Directors consisting of Chairman Robert Siemsen, Dan Daniels, Bruce Pfeiffer, William Erickson and Robert Riestenberg held a hearing pursuant to the *Regulations Governing Petitions to the Board of Directors from Decisions of the Standards Council*, to consider the petition of Studor, Inc. concerning IAPMO Standards Council decision Dockets #1153-09 and #1166-09 relating to the proposed 2009 edition of the *Uniform Plumbing Code*.

Under IAPMO rules, the Standards Council has been delegated the responsibility for the administration of the codes and standards development process, including the adjudication of appeals and the issuance of the *Uniform Plumbing Code*. (See the *IAPMO Regulations Governing Committee Projects* at Sections 1-7 and 2-2). On a petition, the Board of Directors must give due deference to the judgment of the IAPMO Standards Council, and will not intervene unless it can be demonstrated that extraordinary circumstances exist requiring the Board of Directors' intervention to protect the integrity of the codes and standards development process. (See *Regulations Governing Petitions* at Section 3 and the *Regulations Governing Committee Projects* at Section 1-7).

Petitions to the Board of Directors are not intended to be a full appeal beyond that already afforded by the Standards Council, but are rather an opportunity for the Board of Directors to intervene in the event that it determines there to be extraordinary circumstances. Unless a petition presents extraordinary circumstances or unless the Board of Directors, in its discretion, chooses to comment on an issue or issues raised in the petition, petitions are generally handled without a hearing or decision, by a brief statement or dismissal. In this case, a petition hearing was requested and was held with the Subcommittee members noted above. The Board notes Petitioner's recognition during the hearing of evidence existing in the record both in support of and in opposition to the inclusion of air admittance valves in the *Uniform Plumbing Code*.

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International Association of Plumbing and Mechanical Officials
5001 East Philadelphia Street • Ontario, California – USA 91761-2816



Dockets #1153-09, #1166-09
Petition Decision
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After a review of the petition, the record before it, and upon hearing testimony of Petitioner, pursuant to the *Regulations Governing Petitions*, the Board of Directors has concluded that the petition presents no extraordinary circumstances that would require their intervention. Accordingly, the Board of Directors has concluded that the petition has no merit and hereby dismisses the petition.

Please note that the following voting Board members recused themselves from discussion and voting on this matter: Ron Rice, Doug Fredericksen, Tom Gugino, Gary Hamilton, Gary Hile, Dave Straub and Fred Volkers.

Sincerely,

A handwritten signature in cursive script, appearing to read "Gabriella Davis".

Gabriella Davis
Petitions Clerk, Board of Directors

cc: Neil Bogatz, General Counsel
Lynne Simnick, Director of Code Development
Members, Plumbing Technical Committee
Members, Standards Council

